

## REMARKS

### 1. Introduction

In the Office Action mailed June 9, 2010, the Examiner rejected claims 1-13 under 35 U.S.C. § 102(b) as being anticipated by Mothwurf et al., U.S. Pub. No. 2001/0036857 (“Mothwurf”).

In response, Applicant has amended claims 1, 3, 9, and 10. Applicant has also added new claims 14-20.

For the reasons set forth below, Applicant requests reconsideration and allowance of the application, as amended herein.

### 2. Response to the claim rejections

#### a. **Claims 1-8 and 14-16**

Of these claims, claim 1 is independent. The Examiner has rejected claim 1 under § 102(b) as being anticipated by Mothwurf. In response, Applicant has amended claim 1 to recite, *inter alia*, “a buffer memory configured to store transaction data corresponding to a predetermined number of consecutive wagers.” This amendment is supported by Applicant’s specification, for example, at page 7, lines 9-12. Applicant submits that amended claim 1 is clearly allowable over Mothwurf, as set forth below.

In rejecting claim 1, the Examiner alleged that Mothwurf discloses a “buffer memory capable of storing transaction data relating to the player’s wagers on a plurality of turns of any of the different selectable games.” *See* Office Action, p. 3. Unfortunately, the Examiner has failed to clearly identify what in Mothwurf supposedly corresponds to this “buffer memory,” as the only support cited by the Examiner was “see above references.” *Id.* To the extent that the

Examiner's direction to "see above references" can be understood, it appears that the Examiner is alleging that the "MDC units" disclosed in Mothwurf correspond to the claimed "buffer memory." However, Mothwurf does not disclose that the MDC units contain any buffer memory or function as buffer memories. Instead, Mothwurf discloses that the MDC units "provide" various items of information. *See* paragraph [0109]. But this description of providing information does not suggest that any buffer memory is involved. Thus, Applicant submits that the Examiner has failed to satisfy the Examiner's burden of showing how Mothwurf supposedly describes, either expressly or inherently, each and every element recited in claim 1. *See* MPEP § 2131.

Nonetheless, in order to expedite prosecution, Applicant has amended claim 1 to specify that the buffer memory is "configured to store transaction data corresponding to a predetermined number of consecutive wagers." This feature, in combination with the recited "logging application software program configured to buffer transaction data in the buffer memory and to download the buffered transaction data from the buffer memory to the storage means when the buffer memory is full," results in a two-level system for storing transaction data. In the first level of storage, the transaction data is buffered in the buffer memory. In the second level of storage, which occurs when the buffer memory is full (i.e., when the buffer memory stores the predetermined number of consecutive wagers), the buffered transaction data is downloaded from the buffer memory to the storage means. Applicant submits that Mothwurf neither discloses nor suggests this two-level system for storing transaction data.

Accordingly, Applicant submits that claim 1, as amended, is allowable over Mothwurf for at least the foregoing reasons. Applicant further submits that claims 2-8 and 14-16 are allowable for at least the reason that they depend from an allowable claim.

**b. Claims 9-13 and 17-20**

Of these claims, claim 9 is independent. The Examiner has rejected claim 9 under § 102(b) as being anticipated by Mothwurf. In response, Applicant has amended claim 9 to recite, *inter alia*, “buffering transaction data relating to the player’s wagers in a buffer memory of the user access facility.” This amendment is supported by Applicant’s specification, for example, at page 7, lines 12-14. With this amendment, claim 9 recites a method that includes a two-phase approach for storing transaction data. In the first phase, the transaction data is buffered in a buffer memory of the user access facility. In the second phase, which occurs when the buffer memory is full, the buffered transaction data is downloaded from the buffer memory to a storage means remote from the user access facility. Applicant submits that Mothwurf neither discloses nor suggests this two-phase approach for storing transaction data. Indeed, as discussed above for claim 1, Mothwurf does not disclose any “buffer memory” at all.

Accordingly, Applicant submits that claim 9, as amended, is allowable over Mothwurf for at least the foregoing reasons. Applicant further submits that claims 10-13 and 17-20 are allowable for at least the reason that they depend from an allowable claim.

**3. Conclusion**

Applicant submits that the present application is in condition for allowance, and notice to that effect is hereby requested. The Examiner is invited to telephone the undersigned at any time at (312) 913-0001.

Respectfully submitted,

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